

RESOLUTION NO. 74335

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN DETERMINATIONS REQUIRED BY REDEVELOPMENT LAW, HEALTH AND SAFETY CODE SECTION 33445, FOR AGENCY FUNDING OF STREETScape WORK IN THE EAST SANTA CLARA STREET NEIGHBORHOOD BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA AND THAT PORTION OF THE PROJECT WHICH FALLS OUTSIDE A REDEVELOPMENT PROJECT AREA BUT ADJACENT TO THE GREATER GARDNER AND BURBANK/DEL MONTE STRONG NEIGHBORHOOD REDEVELOPMENT PROJECT AREAS AND THAT SUCH IMPROVEMENTS LOCATED OUTSIDE A REDEVELOPMENT PROJECT AREA WILL PRIMARILY BENEFIT THE ADJACENT REDEVELOPMENT PROJECT AREAS

WHEREAS, in 1988, the Redevelopment Agency of the City of San José (“Agency”) planted approximately 75 Raywood Ash trees along East Santa Clara Street as part of the original strategy plan designated for the East Santa Clara Neighborhood Business District ; and

WHEREAS, in 1995, the Agency adopted an updated East Santa Clara Street Neighborhood Business District Revitalization Program, which reiterated the community’s desire to provide street trees to soften the stark appearance of the street, unify the street, and create a more pleasant, inviting business environment; and

WHEREAS, after twenty years, the original Raywood Ash trees planted along East Santa Clara Street are dying and now contribute to the stark appearance of the street and pose potential safety issues; and

WHEREAS, in 1986 the Agency coordinated a tree planting project for Sycamore trees in the main commercial area on Lincoln Avenue, between Minnesota and Coe Avenues

and there remains one segment along Lincoln Avenue, between Coe Avenue and I-280 overpass without street trees; and

WHEREAS, Lincoln Avenue between Coe Avenue and the I-280 overpass, is adjacent to both the Greater Gardner and the Burbank/Del Monte neighborhoods of the Strong Neighborhoods Initiative (SNI) Redevelopment Project Area, but outside a redevelopment project area; and

WHEREAS, the proposed streetscape improvements include removing and replacing 66 Raywood Ash trees with new 24-inch box Sycamore trees on both sides of East Santa Clara Street between 3rd and 17th Streets and cutting 22 tree wells into the concrete at the curb edge of the sidewalk and installing new 24-inch box Sycamore trees on both sides of Lincoln Avenue between Coe Avenue and I-280 overpass ("Project"); and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency, with the consent of the legislative body, to pay for the costs of certain public improvements if the legislative body determines that: 1) the public improvements benefit the project area; 2) no other reasonable means of financing the improvements are available to the community, 3) payment for the improvements will assist in the elimination of blight in the project area and is consistent with the implementation plan, and 4) the public improvements are consistent with the adopted Redevelopment and SNI Five-Year Implementation Plans; and

WHEREAS, that portion of the Project located on East Santa Clara Street benefits the East Santa Clara Neighborhood Business District Redevelopment Project Area and immediate neighborhood by removing blight and increasing this area's economic vitality; and

WHEREAS, that portion of the Project located on Lincoln Avenue will primarily benefit the adjacent Greater Gardner and Burbank/Del Monte neighborhoods in the Strong Neighborhood Initiative Redevelopment Project Area by enhancing the boundaries of the project area and eliminating blight, continuing the streetscape beautification project previously established, and increasing the economic vitality of the area ; and

WHEREAS, sufficient funds to pay for the Project is not included in the City's FY 07/08 Adopted Capital Budget and no other reasonable means of financing the Project is available, and no other source, public or private, has been identified to provide funds to accomplish this Project; and

WHEREAS, the Project will assist in the elimination of blight in the East Santa Clara Street Neighborhood Business District and the Strong Neighborhoods Initiative Redevelopment Project Area by enhancing the neighborhoods by improving the appearance of the major arterial roads, making the neighborhoods a more desirable place to live and house retail establishments and encouraging further investments in the neighborhood; and

WHEREAS, the Project is consistent with the adopted implementation plan for the Neighborhood Business District Redevelopment Project Areas as well as the East Santa Clara updated Neighborhood Strategy, and the Updated Five Year Implementation Plan for the Strong Neighborhoods Initiative Redevelopment Project Area, along with the 2002 Greater Gardner and Burbank/Del Monte Neighborhood Improvement Plans providing for improved attractiveness and quality of the Neighborhood Business District by calling for streetscape improvements, including street tree installation;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAN JOSE:

A. Determines that Agency funding of the Project:

- (1) benefits the Strong Neighborhoods Initiative Redevelopment Project Area;
- (2) primarily benefits the Greater Gardner and Burbank/Del Monte Strong Neighborhood Initiative Redevelopment Project Areas;
- (3) cannot be reasonably financed by other means;
- (4) assists in the elimination of blight;
- (5) is consistent with the adopted implementation plans for the Neighborhood Business Districts and the Strong Neighborhoods Initiative Redevelopment Project Area.

B. Consents to the Agency's funding of the Project.

ADOPTED this 22ND day of April, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,
LICCARDO, OLIVERIO, PYLE, WILLIAMS, REED

NOES: NONE.

ABSENT: NGUYEN.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk